

2013 DRAFTING REQUEST

Bill

Received: **1/15/2013** Received By: **pgrant**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget 6-2843** By/Representing: **Boggs**
May Contact: Drafter: **pgrant**
Subject: **Higher Education - tech. college** Addl. Drafters:
Extra Copies: **MDK**

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Boggs, BB0343 -

Topic:

Impose limit on district levy

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 1/15/2013	csicilia 1/16/2013	jfrantze 1/16/2013	_____			
/1	pgrant 1/16/2013	csicilia 1/16/2013	jmurphy 1/16/2013	_____	sbasford 1/16/2013		State S&L
/2	pgrant 1/24/2013	csicilia 1/24/2013	jmurphy 1/25/2013	_____	lparisi 1/16/2013		State S&L
/3	pgrant	jdyer	jfrantze	_____	srose		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	1/28/2013	1/28/2013	1/29/2013	_____	1/25/2013		S&L
/4	pgrant 1/31/2013	csicilia 1/31/2013	jfrantze 1/31/2013	_____ _____	srose 1/29/2013		State S&L
/5				_____ _____	srose 1/31/2013		State S&L

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/3	pgrant	jdyer	jfrantze	_____	srose	_____	State

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	1/28/2013	1/28/2013	1/29/2013	_____	1/25/2013		S&L

/4
_____ srose
_____ 1/29/2013

State
S&L

FE Sent For:

1/5 jso 1/31
13
1/31
1/31

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/2	pgrant 1/24/2013	csicilia 1/24/2013	jmurphy 1/25/2013	_____	lparisi 1/16/2013		State S&L
/3					srose		State

4 1/28 jld
 1/29
 1/29

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3 g's 1/24/12
 Jm 1/24/13
 J
 PK

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FE Sent For:

2 jgs 1/16
3 jm 1/16/13 self

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/?	pgrant	Tjs 1/16 12	Jb 1/16	Rs 1/16 Jb			

FE Sent For:

<END>

Grant, Peter

From: Boggs, Breann C - DOA <Breann.Boggs@wisconsin.gov>
Sent: Tuesday, January 15, 2013 2:31 PM
To: Hanaman, Cathlene
Cc: Grant, Peter
Subject: RE: missing budget request?

It shows up as BB0343 under agency 292 – submitted 1/3/2013.

I'm not entirely sure how to resent it.
I'll change something – and hit ok – and see if that works.

Let me know if you get it or not.

Here's the gist of it:

Allow technical college district levies to be increased by the greater of 0 percent or the increase in equalized value due to the aggregate net new construction in municipalities wholly located in technical college districts, as calculated by the Department of Revenue.

Allow district board to exceed the levy limit, if district voters pass a referendum to do so.

~B

From: Hanaman, Cathlene [mailto:Cathlene.Hanaman@legis.wisconsin.gov]
Sent: Tuesday, January 15, 2013 2:06 PM
To: Boggs, Breann C - DOA
Cc: Grant, Peter - LEGIS
Subject: FW: missing budget request?

Breann: Could you resend this request? I did not receive it.

Thanks,
Cathlene

From: Grant, Peter
Sent: Tuesday, January 15, 2013 1:34 PM
To: Hanaman, Cathlene
Subject: missing budget request?

I seem to be missing a request relating to levy limits for technical colleges. MES and I did a draft relating to local government and technical college levy limits a while ago (LRB-0503), but Breann Boggs told me that limits for technical colleges are being completely revised and that I should have gotten a request for this a while ago. Perhaps in your junk email folder?

Date (time)
needed _____

LRB- 1180 / 1

(PB)

DOA BUDGET DRAFT

d-note

PG: cjs: _____

Use the appropriate components and routines developed for bills.

X-1-24
8X

>>FOR BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT . . . [DO NOT generate catalog]; relating to: the budget.

.....
.....

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

EDUCATION

head

HIGHER EDUCATION

sub

(attached)

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.

(Analysis)

If this bill imposes a limit on the increase in a technical college district board's operating levy. Under the bill, no district board may ~~not~~ increase its tax levy by a percentage that exceeds its valuation factor. The valuation factor is a percentage equal to the greater of zero percent ^{or} the percentage change in the district's equalized value due to the aggregate new construction in municipalities

located in the district. ^{(1) IF (2)} If district board ~~may~~ wishes to exceed its limit, it must adopt a resolution to that effect and

hold a district-wide referendum. The limit

during the previous year

is increased by the amount approved
at the referendum. (4) If a district base
exceeds its limit without the approval of
electors
the directors, the state technical college
system base must reduce the district's
aid payments by the amount of the
excess.

FE-5L

⑨

SEC. # CR. 38.16(3)(a) ~~2m.~~

⑨

38.16(3)(a) ^② ~~2m.~~ \Downarrow Municipality \Downarrow means a

city, village, or town. ^①

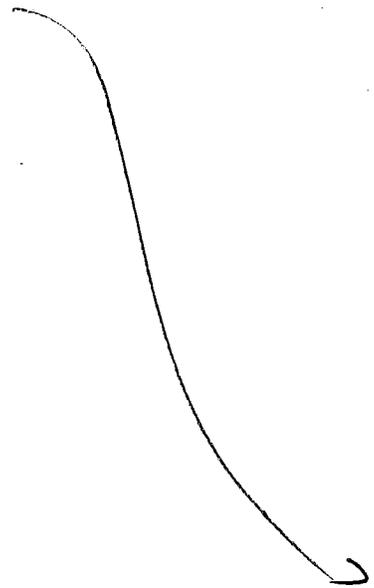
~~SEC. # CR. 38.16(3)(a) 4.~~

Section #. 38.16 (3) (a) 2. of the statutes is amended to read:

38.16 (3) (a) 2. "Excess levy" means the amount by which a district board's tax levy exceeds the limit under par. ~~(b)~~ this subsection

History: 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32, 75.

38.16 (3) (a) 4.
38.16 (3) (a) 4.
⑨ SEC. # CR,



Rec. # (1) (1) (1)

Section #: 66:0602 of the statutes

66.0602 Local levy limits. (1) DEFINITIONS. In this section:

(a) "Debt service" includes debt service on debt issued or reissued to fund or refund outstanding municipal or county obligations, interest on outstanding municipal or county obligations, and related issuance costs and redemption premiums.

(am) "Joint fire department" means a joint fire department organized under s. 61.65 (2) (a) 3. or 62.13 (2m), or a joint fire department organized by any combination of 2 or more cities, villages, or towns under s. 66.0301 (2).

(au) "Municipality" means a city, village, or town.

(b) "Penalized excess" means the levy, in an amount that is at least \$500 over the limit under sub. (2) for the political subdivision, not including any amount that is excepted from the limit under subs. (3), (4), and (5).

(c) "Political subdivision" means a city, village, town, or county.

(d) "Valuation factor" means a percentage equal to the greater of either the percentage change in the ~~political subdivision's~~ ^{district's} January 1 equalized value due to ~~new construction~~ ^{the aggregate} ~~less improvements~~ ^{year} ~~removed~~ between the previous year and the current year.

zero percent or

in municipalities wholly located in the district

SEC. # CR. 38.16 (3) (be)

38.16 (3) (be) (2) ~~Except as provided in subs. (3), (4), and (5), no political subdivision may increase its levy in any year by a percentage that exceeds the political subdivision's valuation factor. (The base amount in any year, to which the limit under this section applies, shall be the actual levy for the immediately preceding year. In determining its levy in any year, a city, village, or town shall subtract any tax increment that is calculated under s. 59.57(3)(a), 60.85(1)(L), or 66.1105(2)(i). The base amount in any year, to which the limit under this section applies, may not include any amount to which sub. (3)(e) 8. applies.~~

district board

38.16 3 be

① SEC. # CR; 38.16(3)(be)

11

ⓑ

② 38.16(3)(be) Notwithstanding sub. (1), no
 may increase its
 district board tax levy in 2013 ^{or} ~~and~~ in
 any year thereafter by a percentage that
 exceeds the district's valuation factor;
 except as provided in pars. (b^g) and
 (b^r).

Section #. 38.16 (3) (bg) of the statutes is amended to read:

38.16 (3) (bg) The limit otherwise applicable to a district board under ~~par. (b)~~ ^{this subsection} is increased by an amount equal to the amount of any refunded or rescinded property taxes paid by the district board in the year of the levy if the refunded or rescinded property taxes result in a redetermination of the district's equalized valuation by the department ~~of revenue~~ ^{of revenue} under s. 74.41.

History: 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32, 75.

Section #. 38.16 (3) (br) 1. of the statutes is amended to read:

38.16 (3) (br) 1. If a district board wishes to exceed the limit under this subsection ~~under par. (b)~~ otherwise applicable to the district ~~in 2011 or 2012~~, it shall adopt a resolution supporting inclusion in the final district budget of an amount equal to the proposed excess levy. The resolution shall be filed as provided in s. 8.37. Within 10 days after adopting the resolution, the district board shall notify the board of the scheduled date of the referendum and submit a copy of the resolution to the board. The district board shall call a special referendum for the purpose of submitting the resolution to the electors of the district for approval or rejection. In lieu of a special referendum, the district board may specify that the referendum be held at the next succeeding spring primary or election or partisan primary or general election, if such election is to be held not sooner than ~~42~~ ⁷⁰ days after the filing of the resolution of the district board. The district board shall certify the results of the referendum to the board within 10 days after the referendum is held.

History: 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32, 75.

Section #. 38.16 (3) (br) 3. of the statutes is amended to read:

38.16 (3) (br) 3. The referendum shall be held in accordance with chs. 5 to 12. The district board shall provide the election officials with all necessary election supplies. The form of the ballot shall correspond substantially with the standard form for referendum ballots prescribed by the government accountability board under ss. 5.64 (2) and 7.08 (1) (a). The question submitted shall be whether the limit under ~~par. (b)~~ ^{this subsection} may be exceeded by a specified amount. The limit otherwise applicable to the district under ~~par. (b)~~ ^{this subsection} is increased by the amount approved by a majority of those voting on the question.

History: 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32, 75.

Section #. 38.16 (3) (c) (intro.) of the statutes is amended to read:

38.16 (3) (c) (intro.) Except as provided in par. (d), if the board determines that a district board imposed an excess levy [↓] in 2011 ~~or 2012~~ [↓], the board shall do all of the following:

History: 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32, 75.

Section #. 38.16 (3) (c) 3. of the statutes is amended to read:

38.16 (3) (c) 3. Ensure that the amount of the excess levy is not included in determining the limit ~~described under par. (b)~~ for the district board for the following year.

History: 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32, 75.

under this subsection

~~SEC. # RP, 3816 (3) (c)~~

(End)

d-note

LAB-1180/1dn

PG:gs

DN

— date —

Ⓟ

Breann:
=

repeal

38.16 (3) (e)

Ⓟ

1. This draft does not repeat so 38.16 (3) (e).

That paragraph is repealed in

-0503

LRB-0503.

-0736

Ⓟ

2. As ~~draft~~ in LRB-0736 I

changed ⁴² 42 days to ⁷⁰ 70 days in

(s. 38.16 (3) (br) 1. Okay?

38.16 (3) (br) 1.

PG
↑

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1180/1dn
PG:cjs:jf

January 16, 2013

Breann:

1. This draft does not repeal s. 38.16 (3) (e). That paragraph is repealed in LRB-0503.
2. As in LRB-0736, I changed "42 days" to "70 days" in s. 38.16 (3) (br) 1. Okay?

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov

Grant, Peter

From: Boggs, Breann C - DOA <Breann.Boggs@wisconsin.gov>
Sent: Wednesday, January 16, 2013 3:13 PM
To: Grant, Peter
Subject: CHANGE TO BB0343 Tech College Levy Limit Draft

Hi Peter,

Here's a change to BB0343 – Impose limit on district levy:

Lines 7, 8, 9 and 10 define the "valuation factor" as a percentage equal to the greater of either zero percent of the percentage change in the district's January 1 equalized value due to the aggregate new construction in municipalities wholly located in the district between previous year and the current year.

In Line 9 – the reference to new construction in municipalities wholly located... should become new construction less improvements removed in municipalities wholly located.....

That would make it consistent with the local levy limits – and apparently impacts the 'valuation' of the new net construction.

Please call if you have questions.

~Breann

Breann C. Boggs
State Budget Office
Executive Budget and Policy Analyst
608.266.2843
breann.boggs@wisconsin.gov

From: Quinn, Brian D - DOA
Sent: Wednesday, January 16, 2013 2:14 PM
To: Boggs, Breann C - DOA
Subject: Re: Tech College Levy Limit Draft

Breann,

I happened across this one while I was doing some other stuff and I noticed one small point that needs changing. Instead of new construction, it should say, "new construction less improvements removed". This is because the new construction, if you don't count the improvements taken down, will be an inflated number.

From the County and Municipal Levy Limits, this is the relevant language:

66.0602 Local levy limits.

(1) DEFINITIONS. In this section:

- (a)** "Debt service" includes debt service on debt issued or reissued to fund or refund outstanding municipal or county obligations, interest on outstanding municipal or county obligations, and related issuance costs and redemption premiums.

- (am) "Joint fire department" means a joint fire department organized under s. 61.65 (2) (a) 3. or 62.13 (2m), or a joint fire department organized by any combination of 2 or more cities, villages, or towns under s. 66.0301 (2).
- (au) "Municipality" means a city, village, or town.
- (b) "Penalized excess" means the levy, in an amount that is at least \$500 over the limit under sub. (2) for the political subdivision, not including any amount that is excepted from the limit under subs. (3), (4), and (5).
- (c) "Political subdivision" means a city, village, town, or county.
- 66.0602(1)(d)(d) "Valuation factor" means a percentage equal to the greater of either the percentage change in the political subdivision's January 1 equalized value due to new construction less improvements removed between the previous year and the current or:
-

Brian Quinn
Executive Policy and Budget Analyst
Wisconsin Department of Administration
Division of Executive Budget and Finance
(608)-266-1923
Brian.quinn@wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1180/1

PG:cjs:jf

stays

DOA:.....Boggs, BB0343 - Impose limit on district levy

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

do NOT gen

less improvements removed

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

This bill imposes a limit on the increase in a technical college district board's operating levy. Under the bill, no district board may increase its tax levy by a percentage that exceeds its valuation factor. The valuation factor is a percentage equal to the greater of zero percent or the percentage change in the district's equalized value due to the aggregate new construction in municipalities located in the district during the previous year.

If a district board wishes to exceed its limit, it must adopt a resolution to that effect and hold a district-wide referendum. The limit is increased by the amount approved at the referendum.

If a district board exceeds its limit without the approval of the electors, the state technical college system board must reduce the district's aid payments by the amount of the excess.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 38.16 (3) (a) 2. of the statutes is amended to read:

2 38.16 (3) (a) 2. "Excess levy" means the amount by which a district board's tax
3 levy exceeds the limit under ~~par. (b)~~ this subsection.

4 SECTION 2. 38.16 (3) (a) 2m. of the statutes is created to read:

5 38.16 (3) (a) 2m. "Municipality" means a city, village, or town.

6 SECTION 3. 38.16 (3) (a) 4. of the statutes is created to read:

7 38.16 (3) (a) 4. "Valuation factor" means a percentage equal to the greater of
8 either zero percent of the percentage change in the district's January 1 equalized
9 value due to the aggregate new construction in municipalities wholly located in the
10 district between the previous year and the current year.

11 SECTION 4. 38.16 (3) (be) of the statutes is created to read:

12 38.16 (3) (be) Notwithstanding sub. (1), no district board may increase its tax
13 levy in 2013 or in any year thereafter by a percentage that exceeds the district's
14 valuation factor, except as provided in pars. (bg) and (br).

15 SECTION 5. 38.16 (3) (bg) of the statutes is amended to read:

16 38.16 (3) (bg) The limit otherwise applicable to a district board under ~~par. (b)~~
17 this subsection is increased by an amount equal to the amount of any refunded or
18 rescinded property taxes paid by the district board in the year of the levy if the
19 refunded or rescinded property taxes result in a redetermination of the district's
20 equalized valuation by the department of revenue under s. 74.41.

21 SECTION 6. 38.16 (3) (br) 1. of the statutes is amended to read:

22 38.16 (3) (br) 1. If a district board wishes to exceed the limit under ~~par. (b)~~
23 otherwise applicable to the district ~~in 2011 or 2012~~ under this subsection, it shall
24 adopt a resolution supporting inclusion in the final district budget of an amount
25 equal to the proposed excess levy. The resolution shall be filed as provided in s. 8.37.

↑ less improvements removed ↑

1 Within 10 days after adopting the resolution, the district board shall notify the board
2 of the scheduled date of the referendum and submit a copy of the resolution to the
3 board. The district board shall call a special referendum for the purpose of
4 submitting the resolution to the electors of the district for approval or rejection. In
5 lieu of a special referendum, the district board may specify that the referendum be
6 held at the next succeeding spring primary or election or partisan primary or general
7 election, if such election is to be held not sooner than ~~42~~ 70 days after the filing of the
8 resolution of the district board. The district board shall certify the results of the
9 referendum to the board within 10 days after the referendum is held.

10 **SECTION 7.** 38.16 (3) (br) 3. of the statutes is amended to read:

11 38.16 (3) (br) 3. The referendum shall be held in accordance with chs. 5 to 12.
12 The district board shall provide the election officials with all necessary election
13 supplies. The form of the ballot shall correspond substantially with the standard
14 form for referendum ballots prescribed by the government accountability board
15 under ss. 5.64 (2) and 7.08 (1) (a). The question submitted shall be whether the limit
16 under ~~par. (b)~~ this subsection may be exceeded by a specified amount. The limit
17 otherwise applicable to the district under ~~par. (b)~~ this subsection is increased by the
18 amount approved by a majority of those voting on the question.

19 **SECTION 8.** 38.16 (3) (c) (intro.) of the statutes is amended to read:

20 38.16 (3) (c) (intro.) Except as provided in par. (d), if the board determines that
21 a district board imposed an excess levy ~~in 2011 or 2012~~, the board shall do all of the
22 following:

23 **SECTION 9.** 38.16 (3) (c) 3. of the statutes is amended to read:

Grant, Peter

From: Boggs, Breann C - DOA <Breann.Boggs@wisconsin.gov>
Sent: Thursday, January 24, 2013 11:30 AM
To: Grant, Peter
Subject: Edits LRB 11800-2; Impose limit on district levy
Attachments: Edits LRB 11800-2; Impose limit on district levy.docx

Hi Peter,

The attached document has an edit for the Tech levy limit draft.

Also, Cohort Tuition is out.

Thanks, .

Breann

Edits LRB 1180/2 Impose limit on district levy

- **Add 'carryover capacity' to technical college district levy limit language:**

If a district doesn't levy for the full net new construction, the district should be able to carryover a portion of that levy authority to the next year.

In other words:

- If a technical college district's allowable levy under this section (being the levy limit section) in 2013, or any year thereafter, was greater than the actual levy in that year, the levy increase limit otherwise applicable under this section to the technical college district in the next succeeding year is increased by the difference between the prior year's allowable levy and the prior year's actual levy, as determined by the department of revenue, up to a maximum increase of 0.5 percent of the actual levy in that prior year, subject to approval by a minimum 3/4s vote by the technical college district board.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1180/2

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DOA:.....Boggs, BB0343 – Impose limit on district levy

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

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1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

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(A) →

If a district board wishes to exceed its limit, it must adopt a resolution to that effect and hold a district-wide referendum. The limit is increased by the amount approved at the referendum.

If a district board exceeds its limit without the approval of the electors, the state technical college system board must reduce the district's aid payments by the amount of the excess.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 38.16 (3) (a) 2. of the statutes is amended to read:

2 38.16 (3) (a) 2. "Excess levy" means the amount by which a district board's tax
3 levy exceeds the limit under ~~par. (b)~~ this subsection.

4 SECTION 2. 38.16 (3) (a) 2m. of the statutes is created to read:

5 38.16 (3) (a) 2m. "Municipality" means a city, village, or town.

6 SECTION 3. 38.16 (3) (a) 4. of the statutes is created to read:

7 38.16 (3) (a) 4. "Valuation factor" means a percentage equal to the greater of
8 either zero percent of the percentage change in the district's January 1 equalized
9 value due to the aggregate new construction, less improvements removed, in
10 municipalities wholly located in the district between the previous year and the
11 current year.

12 SECTION 4. 38.16 (3) (be) of the statutes is created to read:

13 38.16 (3) (be) Notwithstanding sub. (1), no district board may increase its tax
14 levy in 2013 or in any year thereafter by a percentage that exceeds the district's
15 valuation factor, except as provided in pars. (bg) and (br).

Fix component
→ (16)
(17)

16 SECTION 5. 38.16 (3) (bg) of the statutes is ^{renumbered 38.16 (3) (bg) 1. and} amended to read:

17 38.16 (3) (bg) ^{1.} The limit otherwise applicable to a district board under ~~par. (b)~~
18 this subsection is increased by an amount equal to the amount of any refunded or
19 rescinded property taxes paid by the district board in the year of the levy if the
20 refunded or rescinded property taxes result in a redetermination of the district's
21 equalized valuation by the department of revenue under s. 74.41.

2-21 →

22 SECTION 6. 38.16 (3) (br) 1. of the statutes is amended to read:

23 38.16 (3) (br) 1. If a district board wishes to exceed the limit under ~~par. (b)~~
24 otherwise applicable to the district ~~in 2011 or 2012~~ under this subsection, it shall
25 adopt a resolution supporting inclusion in the final district budget of an amount

1 equal to the proposed excess levy. The resolution shall be filed as provided in s. 8.37.
2 Within 10 days after adopting the resolution, the district board shall notify the board
3 of the scheduled date of the referendum and submit a copy of the resolution to the
4 board. The district board shall call a special referendum for the purpose of
5 submitting the resolution to the electors of the district for approval or rejection. In
6 lieu of a special referendum, the district board may specify that the referendum be
7 held at the next succeeding spring primary or election or partisan primary or general
8 election, if such election is to be held not sooner than ~~42~~ 70 days after the filing of the
9 resolution of the district board. The district board shall certify the results of the
10 referendum to the board within 10 days after the referendum is held.

11 **SECTION 7.** 38.16 (3) (br) 3. of the statutes is amended to read:

12 38.16 (3) (br) 3. The referendum shall be held in accordance with chs. 5 to 12.
13 The district board shall provide the election officials with all necessary election
14 supplies. The form of the ballot shall correspond substantially with the standard
15 form for referendum ballots prescribed by the government accountability board
16 under ss. 5.64 (2) and 7.08 (1) (a). The question submitted shall be whether the limit
17 under ~~par. (b)~~ this subsection may be exceeded by a specified amount. The limit
18 otherwise applicable to the district under ~~par. (b)~~ this subsection is increased by the
19 amount approved by a majority of those voting on the question.

20 **SECTION 8.** 38.16 (3) (c) (intro.) of the statutes is amended to read:

21 38.16 (3) (c) (intro.) Except as provided in par. (d), if the board determines that
22 a district board imposed an excess levy ~~in 2011 or 2012~~, the board shall do all of the
23 following:

24 **SECTION 9.** 38.16 (3) (c) 3. of the statutes is amended to read:

(A)

¶ If a district board's ^{allowable} allowable levy
 is greater than its ^{actual} actual levy in
 any year, the district board may
 increase its limit in the ^{succeeding} succeeding
 year by ^{year} the difference, up to ^{a maximum of} 10.5 percent of
 its actual levy, by a ~~three-fourths~~ ^{three-fourths} vote.

38.16 (3)(bg) 2. created

Section #. 66.0602 (3) (f) 4 of the statutes is amended to read:

(B)

38.16 (3)(bg) 2.

66.0602 (3) (f) 4. If a ~~political subdivision~~ ^{district board's} allowable levy under this ~~section~~ ^{subsection} in 2012, or ~~2013~~ ²⁰¹³ or any year thereafter, ~~was~~ ^{is} greater than its actual levy in that year, the ~~levy increase~~ ^{levy increase} limit otherwise applicable under this ~~section to the political subdivision~~ ^{subsection} in the ~~next~~ ^{next} succeeding year is increased by the difference between the prior year's allowable levy and the prior year's actual levy, as determined by the department of revenue, up to a maximum increase of 0.5 percent of the actual levy in that prior year.

History: 2005 a. 25, 484; 2007 a. 20, 115, 129; 2009 a. 28; 2011 a. 32, 63, 75, 140, 145, 258; s. 13.92 (1) (bm)

2.

if the district board approves
~~the~~ increase by a ^{three-fourths} ~~three-fourths~~
~~majority~~ ^{vote} ~~vote~~

Grant, Peter

From: Boggs, Breann C - DOA <Breann.Boggs@wisconsin.gov>
Sent: Friday, January 25, 2013 4:21 PM
To: Grant, Peter
Subject: 1180/3 Impose limit on district levy

Hi Peter,

Can you add – “as calculated by the department of revenue” or something to that effect to this section below in the *LRB-1180/3 Impose limit on district levy*?

SECTION 3. 38.16 (3) (a) 4. of the statutes is created to read:

38.16 (3) (a) 4. “Valuation factor” means a percentage equal to the greater of either zero percent of the percentage change in the district’s January 1 equalized value due to the aggregate new construction, less improvements removed, in municipalities wholly located in the district between the previous year and the current year.

Thanks!

Breann C. Boggs
State Budget Office
Executive Budget and Policy Analyst
608.266.2843
breann.boggs@wisconsin.gov



4

DOA:.....Boggs, BB0343 - Impose limit on district levy

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

This bill imposes a limit on the increase in a technical college district board's operating levy. Under the bill, no district board may increase its tax levy by a percentage that exceeds its valuation factor. The valuation factor is a percentage equal to the greater of zero percent or the percentage change in the district's equalized value due to the aggregate new construction, less improvements removed, in municipalities located in the district during the previous year.

If a district board's allowable levy is greater than its actual levy in any year, the district board may increase its limit in the succeeding year by the difference, up to a maximum of 0.5 percent of its actual levy, by a three-fourths vote.

If a district board wishes to exceed its limit, it must adopt a resolution to that effect and hold a district-wide referendum. The limit is increased by the amount approved at the referendum.

If a district board exceeds its limit without the approval of the electors, the state technical college system board must reduce the district's aid payments by the amount of the excess.

by a three-fourths vote

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 38.16 (3) (a) 2. of the statutes is amended to read:

2 38.16 (3) (a) 2. "Excess levy" means the amount by which a district board's tax
3 levy exceeds the limit under par. (b) this subsection.

4 **SECTION 2.** 38.16 (3) (a) 2m. of the statutes is created to read:

5 38.16 (3) (a) 2m. "Municipality" means a city, village, or town.

6 **SECTION 3.** 38.16 (3) (a) 4. of the statutes is created to read:

7 38.16 (3) (a) 4. "Valuation factor" means a percentage equal to the greater of
8 either zero percent of the percentage change in the district's January 1 equalized
9 value due to the aggregate new construction, less improvements removed, in
10 municipalities wholly located in the district between the previous year and the
11 current year, *as determined by the department of revenue* ✓

12 **SECTION 4.** 38.16 (3) (be) of the statutes is created to read:

13 38.16 (3) (be) Notwithstanding sub. (1), no district board may increase its tax
14 levy in 2013 or in any year thereafter by a percentage that exceeds the district's
15 valuation factor, except as provided in pars. (bg) and (br).

16 **SECTION 5.** 38.16 (3) (bg) of the statutes is renumbered 38.16 (3) (bg) 1. and
17 amended to read:

18 38.16 (3) (bg) 1. The limit otherwise applicable to a district board under par.
19 (b) this subsection is increased by an amount equal to the amount of any refunded
20 or rescinded property taxes paid by the district board in the year of the levy if the

1 refunded or rescinded property taxes result in a redetermination of the district's
2 equalized valuation by the department of revenue under s. 74.41.

3 SECTION 6. 38.16 (3) (bg) 2. of the statutes is created to read:

4 38.16 (3) (bg) 2. If a district board's allowable levy under this subsection in
5 2013, or any year thereafter, is greater than its actual levy in that year, the limit
6 otherwise applicable to the district board under this subsection in the succeeding
7 year is increased by the difference between the prior year's allowable levy and the
8 prior year's actual levy, as determined by the department of revenue, up to a
9 maximum increase of 0.5 percent of the actual levy in that prior year, if the district
10 board approves the increase by a three-fourths vote.

11 SECTION 7. 38.16 (3) (br) 1. of the statutes is amended to read:

12 38.16 (3) (br) 1. If a district board wishes to exceed the limit ~~under par. (b)~~
13 otherwise applicable to the district ~~in 2011 or 2012~~ under this subsection, it shall
14 adopt a resolution supporting inclusion in the final district budget of an amount
15 equal to the proposed excess levy. The resolution shall be filed as provided in s. 8.37.
16 Within 10 days after adopting the resolution, the district board shall notify the board
17 of the scheduled date of the referendum and submit a copy of the resolution to the
18 board. The district board shall call a special referendum for the purpose of
19 submitting the resolution to the electors of the district for approval or rejection. In
20 lieu of a special referendum, the district board may specify that the referendum be
21 held at the next succeeding spring primary or election or partisan primary or general
22 election, if such election is to be held not sooner than ~~42~~ 70 days after the filing of the
23 resolution of the district board. The district board shall certify the results of the
24 referendum to the board within 10 days after the referendum is held.

25 SECTION 8. 38.16 (3) (br) 3. of the statutes is amended to read:



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1180/4

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DOA:.....Boggs, BB0343 - Impose limit on district levy

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

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1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

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HIGHER EDUCATION

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If a district board's allowable levy is greater than its actual levy in any year, the district board may by a three-fourths vote increase its limit in the succeeding year by the difference, up to a maximum of 0.5 percent of its actual levy.

If a district board wishes to exceed its limit, it must adopt a resolution to that effect and hold a district-wide referendum. The limit is increased by the amount approved at the referendum.

If a district board exceeds its limit without the approval of the electors, the state technical college system board must reduce the district's aid payments by the amount of the excess.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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3 levy exceeds the limit under par. (b) this subsection.

4 **SECTION 2.** 38.16 (3) (a) 2m. of the statutes is created to read:

5 38.16 (3) (a) 2m. "Municipality" means a city, village, or town.

6 **SECTION 3.** 38.16 (3) (a) 4. of the statutes is created to read:

7 38.16 (3) (a) 4. "Valuation factor" means a percentage equal to the greater of
8 either zero percent ^{or} ~~of~~ the percentage change in the district's January 1 equalized
9 value due to the aggregate new construction, less improvements removed, in
10 municipalities wholly located in the district between the previous year and the
11 current year, as determined by the department of revenue.

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14 levy in 2013 or in any year thereafter by a percentage that exceeds the district's
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16 **SECTION 5.** 38.16 (3) (bg) of the statutes is renumbered 38.16 (3) (bg) 1. and
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19 ~~(b)~~ this subsection is increased by an amount equal to the amount of any refunded
20 or rescinded property taxes paid by the district board in the year of the levy if the

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3 **SECTION 6.** 38.16 (3) (bg) 2. of the statutes is created to read:

4 38.16 (3) (bg) 2. If a district board's allowable levy under this subsection in
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6 otherwise applicable to the district board under this subsection in the succeeding
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8 prior year's actual levy, as determined by the department of revenue, up to a
9 maximum increase of 0.5 percent of the actual levy in that prior year, if the district
10 board approves the increase by a three-fourths vote.

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12 38.16 (3) (br) 1. If a district board wishes to exceed the limit under ~~par. (b)~~
13 otherwise applicable to the district in ~~2011 or 2012~~ under this subsection, it shall
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15 equal to the proposed excess levy. The resolution shall be filed as provided in s. 8.37.
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18 board. The district board shall call a special referendum for the purpose of
19 submitting the resolution to the electors of the district for approval or rejection. In
20 lieu of a special referendum, the district board may specify that the referendum be
21 held at the next succeeding spring primary or election or partisan primary or general
22 election, if such election is to be held not sooner than ~~42~~ 70 days after the filing of the
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24 referendum to the board within 10 days after the referendum is held.

25 **SECTION 8.** 38.16 (3) (br) 3. of the statutes is amended to read:



DOA:.....Boggs, BB0343 – Impose limit on district levy

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

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11 **SECTION 7.** 38.16 (3) (br) 1. of the statutes is amended to read:

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20 lieu of a special referendum, the district board may specify that the referendum be
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22 election, if such election is to be held not sooner than ~~42~~ 70 days after the filing of the
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